

FISCAL IMPACT STATEMENT ON BILL NO. **S. 47**

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TO: The Honorable Glenn McConnell, Chairman, Senate Judiciary Committee
FROM: Office of State Budget, Budget and Control Board
ANALYSTS: Rodney Grizzle
DATE: January 24, 2005 SBD: 2005021

AUTHOR: Senator Cromer PRIMARY CODE CITE: 16-3-652
SUBJECT: Criminal Sexual Conduct Penalties

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:
See Below

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:
\$0 (No additional expenditures or savings are expected)

BILL SUMMARY:

Senate Bill 47 amends Sections 16-3-652, 16-3-653, 16-3-655 and 23-3-430 of the Code of Laws of South Carolina, 1976, by providing that an individual who is convicted of Criminal Sexual Conduct in the first degree must serve a minimum prison term of ten (10) years. The Bill also provides that an individual who is convicted of Criminal Sexual Conduct in the second degree must serve a minimum prison term of five (5) years. The Bill also makes sexual contact between an individual who has been previously convicted of a crime of a sexual nature and a victim of less than sixteen years of age, guilty of Criminal Sexual Conduct in the first degree.

EXPLANATION OF IMPACT:

Judicial Department

The Department indicates there will be a minimal fiscal impact on the General Fund of the State, which can be absorbed by the agency at the current level of funding.

Department of Corrections (SCDC)

SCDC indicates that this Bill would require additional General Funds of the State, ranging from \$9,300 annually in FY07 to \$217,000 annually in FY20. Costs estimates are based on increased SCDC population of three (3) inmates in FY07 to seventy (70) inmates in FY20 at a variable cost of \$3,100 per inmate.

This projection is based on FY2004 admission pattern (six new admissions were convicted of criminal sexual conduct 1st degree with a suspended sentence, or sentences below the proposed mandatory minimum, and four new admissions for criminal sexual conduct 2nd degree). Had this Bill been in effect, these ten (10) inmates would have to serve longer prison time.

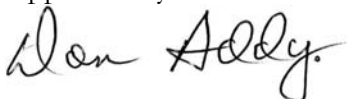
LOCAL GOVERNMENT IMPACT:

None.

SPECIAL NOTES:

None.

Approved by:



Don Addy
Assistant Director, Office of State Budget